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November 15, 1999

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/838,978  
Applicants: Heinz Schaller et al.  
Filed: August 26, 1999  
Title: "METHODS AND COMPOSITIONS FOR EXPRESSING HETEROLOGOUS  
GENES IN HEPATOCYTES USING HEPADNAVIRAL VECTORS"  
Attorney Docket No.: BBI-102CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Application;
2. Two (2) Executed Declarations, Petitions and Powers of Attorney;
3. Copy of Form PTO-1533;
4. Check for \$1,406.00 (missing parts); and
5. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

November 15, 1999

Date

Amy E. Mandragouras, Reg. No. 36,207

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Amy E. Mandragouras, Reg. No. 36,207  
for Elizabeth A. Hanley  
Reg. No. 33,505

EAH/JLE/mgc  
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Heinz Schaller et al.

Serial No.: 09/383,978

Filed: August 26, 1999

For: METHODS AND COMPOSITIONS FOR  
EXPRESSING HETEROLOGOUS GENES IN  
HEPATOCYTES USING HEPADNAVIRAL VECTORS

Attorney Docket No.: BBI-102CP

Group Art Unit: 1632

Examiner:

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

11/15/99  
Date of Signature and of Mail Deposit

By: 

Amy E. Mandragouras, Reg. No. 36,207

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

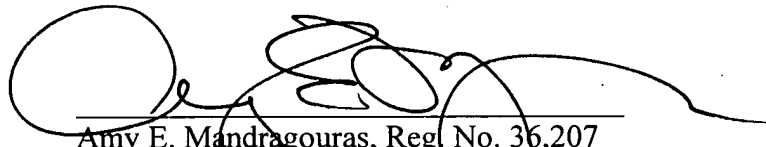
Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated September 13, 1999, Applicants' attorney submits herewith two (2) executed Declarations, Petitions and Powers of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$1,406.00 is enclosed to cover the total amount owed by

Applicant including \$130.00 surcharge, \$760.00 basic filing fee, and \$516.00 additional claim fee based on large entity status. A copy of Form PTO-1533 is also enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080.

Respectfully submitted,



Amy E. Mandragouras, Reg. No. 36,207  
for Elizabeth A. Hanley, Reg. No. 33,505  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: November 15, 1999



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/383,978	08/26/99	SCHALLER	H BBI-102CP

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON MA 02109

0262/0913

NOT ASSIGNED

1632

DATE MAILED:

09/13/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 1400

- ☒ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. The following additional claims fees are due:

\$ 360 for 20 total claims over 20.

\$ 156 for 2 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

11/23/1999 STEFERRA 00000022 09383978

01 FC:101	760.00 OP
02 FC:103	360.00 OP
03 FC:102	156.00 OP
04 FC:105	130.00 OP